

REMARKS

The Office Action of 03/08/2007 has been carefully considered. Reconsideration in view of the foregoing amendments and the present remarks is respectfully requested.

The provisional obviousness-type double-patenting rejection is noted.

Claims 1, 7, 12 and 18 were rejected as being anticipated by Robertson. Claims 1-23 were rejected as being unpatentable over Bender in view of Robertson. The claims have been amended to more clearly distinguish over the cited references. Reconsideration is respectfully requested.

More particularly, claims 1 and 7 have been amended to recite in part "issuing a first message when the count of the second counter has reached a predetermined number N by incrementing of the count of said second counter after a data element has been written into said FIFO memory, regardless of a fullness condition of the FIFO." Similarly, claims 12 and 18 have been amended to recite in part "issuing a second message that sufficient data elements have been read from said FIFO memory when the count of the fourth counter has reached a predetermined number N by incrementing of the count of said fourth counter after a data element has been written into said FIFO memory, regardless of a fullness condition of the FIFO." These signalling operations, unlike Robertson, are not about the fullness of the FIFO. Rather, they are for synchronization purposes between producer and consumer processes.

Robertson is not believed to teach or suggest issuing a message when the count of a write counter or the count of a read counter has reached a predetermined number N, *regardless* of a fullness condition of the FIFO buffer. Robertson is therefore not believed to teach or suggest the invention of claims 1, 7, 12 and 18 as amended. Furthermore,

because the rejection based on the combination of Bender and Robertson relies upon Robertson for the relevant teaching concerning this feature of the invention, and because the claims have been amended to distinguish over Robertson with respect to this feature, claims 1-23 are therefore believed to patentably define over the cited references.

Withdrawal of the rejections and allowance of claims 1-23 is respectfully requested.

Respectfully submitted,



Michael J. Ure, Reg. 33,089

Dated: 07/18/2007